

Exhibit H

Blythe, Michele

From: Anthony Paronich <anthony@paronichlaw.com>
Sent: Sunday, February 28, 2021 1:32 PM
To: Daly, Michael P.; Morton Denlow; Stewart Deborah; murphy@mmmb.com; misny@mmmb.com
Cc: Crawford, Stephen; Blythe, Michele; Indyk, Marsha J.
Subject: RE: Frey, Jon, et al. vs. Frontier Utilities Northeast LLC and Energy Acquisitions Group LLC - JAMS Ref No. 1340019092
Attachments: 2021.02.28 Final Settlement Agreement.docx; Exhibit 8 -- Motion for a Stay.docx; Exhibit 9 -- Stipulation of Dismissal.docx

Caution - External Email (anthony@paronichlaw.com)

Report this Email

Quick response

Emergency response

Tips

Hello, all. Thank you, Michael, for the draft and progress here.

First, I was mistaken in our conversation on Friday when I stated that the internet submission of the publication notice claim form was from PALMCO, that was from another solar settlement against SunRun. While we didn't feel particularly strongly either way on that, confirming that the process proposed by Frontier is what we used in PALMCO allows us to finalize our agreement on that issue.

After reviewing and consulting with our clients, they did not want to allow their proposed incentive award to be the only outstanding item in the agreement, and have agreed that they will each apply for a \$5,000 incentive award.

As such, we're ready for a signature version and will take a look for the exhibits. If you could provide them tomorrow, we'd appreciate that. As requested, the attached inserts exhibit numbers to contemplate the two new exhibits. Draft of those are also attached.

Once we're signed, we're fine with extending the *Perrong* responsive pleading deadline for Frontier.

Anthony Paronich
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[o] (617) 485-0018
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From: Daly, Michael P. <michael.daly@faegredrinker.com>

Sent: Saturday, February 27, 2021 8:56 PM

To: Anthony Paronich <anthony@paronichlaw.com>; Morton Denlow <mortdenlow@gmail.com>; Stewart Deborah <dstewart@jamsadr.com>; murphy@mmb.com; misny@mmb.com

Cc: steve.crawford@gexaenergy.com; michele.blythe@nexteraenergy.com; Indych, Marsha J. <marsha.indych@faegredrinker.com>

Subject: RE: Frey, Jon, et al. vs. Frontier Utilities Northeast LLC and Energy Acquisitions Group LLC - JAMS Ref No. 1340019092

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Anthony:

A clean revised draft of the Settlement Agreement is attached for your review. Please note that this draft is still being reviewed by Frontier and is not a final draft for execution. There are three margin notes for your attention that I've highlighted in yellow for ease of reference. We can circulate a digital comparison to your last version in the morning if it would be helpful.

We are continuing to work on the exhibits to revise them and conform them to this draft of the agreement. We will circulate those separately as soon as we're in a position to do so.

Best,

Michael P. Daly

Faegre Drinker Biddle & Reath LLP

Call: +1 215 988 2604

Connect: vCard

From: Daly, Michael P.

Sent: Saturday, February 27, 2021 11:30 AM

To: 'Anthony Paronich' <anthony@paronichlaw.com>; Morton Denlow <mortdenlow@gmail.com>; Stewart Deborah <dstewart@jamsadr.com>; murphy@mmb.com; misny@mmb.com

Cc: steve.crawford@gexaenergy.com; michele.blythe@nexteraenergy.com; Indych, Marsha J. <marsha.indych@faegredrinker.com>

Subject: RE: Frey, Jon, et al. vs. Frontier Utilities Northeast LLC and Energy Acquisitions Group LLC - JAMS Ref No. 1340019092

Thanks for checking in. We will be circulating a revised draft of the agreement this weekend. The exhibits will follow separately.

Michael P. Daly

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From: Anthony Paronich <anthony@paronichlaw.com>

Sent: Saturday, February 27, 2021 9:48 AM

To: Daly, Michael P. <michael.daly@faegredrinker.com>; Morton Denlow <mortdenlow@gmail.com>; Stewart Deborah <dstewart@jamsadr.com>; murphy@mmb.com; misny@mmb.com

Cc: steve.crawford@gexaenergy.com; michele.blythe@nexteraenergy.com; Indych, Marsha J.

<marsha.indych@faegredrinker.com>

Subject: RE: Frey, Jon, et al. vs. Frontier Utilities Northeast LLC and Energy Acquisitions Group LLC - JAMS Ref No. 1340019092

This Message originated outside your organization.

Hello, all. I understood that after speaking with Mike and Marsha that we may not receive the proposed final package yesterday. However, can you please confirm that we will receive it this weekend or Monday?

Anthony

From: Anthony Paronich <anthony@paronichlaw.com>

Sent: Thursday, February 25, 2021 10:51 AM

To: 'Daly, Michael P.' <michael.daly@faegredrinker.com>; 'Morton Denlow' <mortdenlow@gmail.com>; 'Stewart Deborah' <dstewart@jamsadr.com>; 'murphy@mmb.com' <murphy@mmb.com>; 'misny@mmb.com' <misny@mmb.com>

Cc: 'steve.crawford@gexaenergy.com' <steve.crawford@gexaenergy.com>; 'michele.blythe@nexteraenergy.com' <michele.blythe@nexteraenergy.com>; 'Indych, Marsha J.' <marsha.indych@faegredrinker.com>

Subject: RE: Frey, Jon, et al. vs. Frontier Utilities Northeast LLC and Energy Acquisitions Group LLC - JAMS Ref No. 1340019092

Hello, Mike. That's fine, but I want to ensure we'll still receive a proposed final draft tomorrow of the agreement and exhibits. This is languishing a bit longer than we anticipated based on the timeline we discussed at the mediation.

I'm available from 9:00-10 or 12-2.

Anthony

From: Daly, Michael P. <michael.daly@faegredrinker.com>

Sent: Thursday, February 25, 2021 10:43 AM

To: Anthony Paronich <anthony@paronichlaw.com>; Morton Denlow <mortdenlow@gmail.com>; Stewart Deborah <dstewart@jamsadr.com>; murphy@mmb.com; misny@mmb.com

Cc: steve.crawford@gexaenergy.com; michele.blythe@nexteraenergy.com; Indych, Marsha J. <marsha.indych@faegredrinker.com>

Subject: RE: Frey, Jon, et al. vs. Frontier Utilities Northeast LLC and Energy Acquisitions Group LLC - JAMS Ref No. 1340019092

Anthony if it is alright with you we need to move this call to tomorrow. I think we'll have a more productive call then. Can you please let us know what times would be convenient? Thanks,

MPD

From: Daly, Michael P.

Sent: Wednesday, February 24, 2021 5:54 PM

To: 'Anthony Paronich' <anthony@paronichlaw.com>; Morton Denlow <mortdenlow@gmail.com>; Stewart Deborah <dstewart@jamsadr.com>; murphy@mmb.com; misny@mmb.com

Cc: steve.crawford@gexaenergy.com; michele.blythe@nexteraenergy.com; Indych, Marsha J. <marsha.indych@faegredrinker.com>

Subject: RE: Frey, Jon, et al. vs. Frontier Utilities Northeast LLC and Energy Acquisitions Group LLC - JAMS Ref No. 1340019092

Thanks, Anthony. Marsha and I will plan to call you at 11.

MPD

From: Anthony Paronich <anthony@paronichlaw.com>

Sent: Wednesday, February 24, 2021 5:14 PM

To: Daly, Michael P. <michael.daly@faegredrinker.com>; Morton Denlow <mortdenlow@gmail.com>; Stewart Deborah <dstewart@jamsadr.com>; murphy@mmb.com; misny@mmb.com

Cc: steve.crawford@gexaenergy.com; michele.blythe@nexteraenergy.com; Indych, Marsha J. <marsha.indych@faegredrinker.com>

Subject: RE: Frey, Jon, et al. vs. Frontier Utilities Northeast LLC and Energy Acquisitions Group LLC - JAMS Ref No. 1340019092

This Message originated outside your organization.

Hello:

Anytime from 10-11:30 will work if you have a window in there.

Anthony

From: Daly, Michael P. <michael.daly@faegredrinker.com>

Sent: Wednesday, February 24, 2021 4:59 PM

To: Morton Denlow <mortdenlow@gmail.com>; Stewart Deborah <dstewart@jamsadr.com>; Anthony Paronich <anthony@paronichlaw.com>; murphy@mmb.com; misny@mmb.com

Cc: steve.crawford@gexaenergy.com; michele.blythe@nexteraenergy.com; Indych, Marsha J. <marsha.indych@faegredrinker.com>

Subject: RE: Frey, Jon, et al. vs. Frontier Utilities Northeast LLC and Energy Acquisitions Group LLC - JAMS Ref No. 1340019092

Thank you, Judge Denlow.

Anthony can you let us know when you might have time tomorrow to go over some open issues? If you want to send a draft of a short term sheet our client would of course review one.

Thanks,

Michael P. Daly

Faegre Drinker Biddle & Reath LLP

Call: +1 215 988 2604

Connect: vCard

From: Morton Denlow <mortdenlow@gmail.com>

Sent: Wednesday, February 24, 2021 12:38 PM

To: Anthony Paronich <anthony@paronichlaw.com>; Daly, Michael P. <michael.daly@faegredrinker.com>;

murphy@mmmb.com; misny@mmmb.com; michele.blythe@nexteraenergy.com; steve.crawford@gexaenergy.com;

Indych, Marsha J. <marsha.indych@faegredrinker.com>

Cc: Stewart Deborah <dstewart@jamsadr.com>

Subject: Re: Frey, Jon, et al. vs. Frontier Utilities Northeast LLC and Energy Acquisitions Group LLC - JAMS Ref No. 1340019092

This Message originated outside your organization.

Dear Counsel:

I appreciate the hard work you are all putting in to bring about a settlement agreement. We made great progress at the mediation and a monetary amount was agreed upon, subject to the the preparation and execution of a mutually acceptable settlement agreement.

My procedures generally require the execution of a term sheet to be followed by a comprehensive settlement agreement. I understood that Frontier was unwilling to sign a term sheet both because of a recent bad experience and the lack of electricity, heat and water which made further work impossible that night. Frontier insisted on going directly to a settlement agreement.

Based on your exchange of emails, I perceive both parties to be working in utmost good faith to bring about a mutually agreeable settlement agreement. Frontier's procedures require further internal review. Keep your line of communications open to address any remaining issues.

If at some point I can be of further assistance, please feel free to reach out to me. I do not want to lose the momentum generated at the mediation and continued by your hard work since then.

All the best,

Mort Denlow

mortdenlow@gmail.com

Cell:847-204-5405

On Feb 24, 2021, at 8:44 AM, Anthony Paronich <anthony@paronichlaw.com> wrote:

Thanks, Mike. We'll look for those drafts by Friday.

Given the opinion day tomorrow at the Supreme Court, and the progress we've made thus far, I do think it would make sense for both sides to work through a binding term sheet today. Please let us know your thoughts.

Regards,

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From: Daly, Michael P. <michael.daly@faegredrinker.com>

Sent: Tuesday, February 23, 2021 10:15 PM

To: Morton Denlow <mortdenlow@gmail.com>; Stewart Deborah <dstewart@jamsadr.com>; Anthony Paronich <anthony@paronichlaw.com>; murphy@mmb.com; misny@mmb.com

Cc: michele.blythe@nexteraenergy.com; steve.crawford@gexaenergy.com; Indych, Marsha J. <marsha.indych@faegredrinker.com>

Subject: RE: Frey, Jon, et al. vs. Frontier Utilities Northeast LLC and Energy Acquisitions Group LLC - JAMS Ref No. 1340019092

Judge Denlow—Thank you. Frontier has been working diligently on the drafts of the agreement, notices, claim form, and orders despite the lingering power/heat/water issues in Texas. We hope to be in a position to circulate a near-final draft later this week.

Anthony—I got your voicemail this morning. Sorry for the delay in responding. Your latest draft left a number of items for us to address. We have done that and Frontier is now reviewing those changes. With respect to the timeline for signatures, we no longer think that a compressed schedule is achievable given the extent of the changes that needed to be made. We also still have some areas of disagreement that will need to be discussed. Once those are resolved a final agreement would need to be reviewed by the legal and business teams before Frontier would be able to execute it. We know that you would like a signed final agreement as soon as possible and we have been working with the utmost haste to make that happen. But Frontier can't short circuit the necessary internal review just because we all want expediency. We will circulate a revised draft as soon as we can.

Michael P. Daly

Faegre Drinker Biddle & Reath LLP

Call: +1 215 988 2604

Connect: vCard

From: Anthony Paronich <anthony@paronichlaw.com>

Sent: Tuesday, February 23, 2021 4:37 PM

To: Morton Denlow <mortdenlow@gmail.com>

Cc: Daly, Michael P. <michael.daly@faegredrinker.com>; murphy@mmb.com; misny@mmb.com; Stewart Deborah <dstewart@jamsadr.com>; michele.blythe@nexteraenergy.com; steve.crawford@gexaenergy.com; Indych, Marsha J. <marsha.indych@faegredrinker.com>

Subject: RE: Frey, Jon, et al. vs. Frontier Utilities Northeast LLC and Energy Acquisitions Group LLC - JAMS Ref No. 1340019092

This Message originated outside your organization.

Thank you, Judge Denlow. We have made progress, but with a prior goal of signing by last Friday, February 19, we do hope to receive the settlement agreement in final today along with a draft of the proposed final exhibits from Frontier.

Mike, do you have an update on that?

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From: Morton Denlow <mortdenlow@gmail.com>
Sent: Monday, February 22, 2021 4:28 PM
To: Anthony Paronich <anthony@paronichlaw.com>
Cc: Daly, Michael P. <michael.daly@faegredrinker.com>; murphy@mmmb.com; misny@mmmb.com; Stewart Deborah <dstewart@jamsadr.com>; michele.blythe@nexteraenergy.com; steve.crawford@gexaenergy.com; Indych, Marsha J. <marsha.indych@faegredrinker.com>
Subject: Re: Frey, Jon, et al. vs. Frontier Utilities Northeast LLC and Energy Acquisitions Group LLC - JAMS Ref No. 1340019092

I am following up. It appears you are making progress. Keep me in the email loop so I can be sure you stay on track. Keep plugging away.

Michele and Steve, I hope conditions are improving for you in Texas.

All the best,

Mort Denlow
mortdenlow@gmail.com
Cell:847-204-5405

On Feb 21, 2021, at 11:24 AM, Anthony Paronich <anthony@paronichlaw.com> wrote:

Thank you, Michael. We have redlined this version. I've also included my macro notes below in the event there is anything we should discuss with Judge Denlow or that he would like to offer his input:

- We put back in the Non-Monetary Relief section, which we think is important for approvability in demonstrating a benefit obtained for non-claiming publication notice class members.
- While noting that Frontier will likely object at final approval, we have put back that each plaintiff will apply for a \$10,000 service award
- The *Frey* action should be dismissed two days after the Effective Date instead of execution date. If the settlement doesn't receive approval, we can't be in a position where we have dismissed with prejudice.
- I believe all questions in the comments were addressed, but if not I'm happy to chat about any of them.

Anthony

From: Daly, Michael P. <michael.daly@faegredrinker.com>
Sent: Saturday, February 20, 2021 7:10 PM
To: Anthony Paronich <anthony@paronichlaw.com>; murphy@mmb.com; misny@mmb.com
Cc: Mort Denlow <mortdenlow@gmail.com>; Stewart Deborah <dstewart@jamsadr.com>; michele.blythe@nexteraenergy.com; steve.crawford@gexaenergy.com; Indych, Marsha J. <marsha.indych@faegredrinker.com>
Subject: RE: Frey, Jon, et al. vs. Frontier Utilities Northeast LLC and Energy Acquisitions Group LLC - JAMS Ref No. 1340019092

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Anthony, Brian, and Jonathan:

With apologies for the hour of this weekend email, here for your review is a clean revised draft of a settlement agreement.

Please let us know if you'd like us to generate and circulate a digital comparison of this and your original draft. It seems that the original draft had some sort of persistent corruption that (among other things) kept stripping out tracked changes and the authors of margin notes. Suffice it to say that this made the review process harder and—more importantly for present purposes—longer than usual. My crude workaround was to finally cut and paste the text into a new document and reformat it. That seems to have worked, at least for the time being.

We've noted in the margin where we think some work still needs to be done with regard to, for example, certain defined terms and some internal consistency issues. We've highlighted those comments for ease of reference. If those don't come through on your end let us know and we can send a PDF of this as well.

Finally, per my prior email, this is not meant to be a final draft for execution. We and Frontier are still reviewing it and reserve the right to make further refinements. We are working through the notices and other related documents—which we had to decouple

from this document for the time being due to the issue noted above—and will circulate revised drafts of those as soon as we can.

I don't have anything especially interesting planned for tomorrow, so if you would like to discuss anything just let me know.

Thanks,

Michael P. Daly

Faegre Drinker Biddle & Reath LLP

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Connect: vCard

From: Mort Denlow <mortdenlow@gmail.com>

Sent: Friday, February 19, 2021 7:47 AM

To: Anthony Paronich <anthony@paronichlaw.com>

Cc: Daly, Michael P. <michael.daly@faegredrinker.com>; murphy@mmb.com; misny@mmb.com; Stewart Deborah <dstewart@jamsadr.com>; michele.blythe@nexteraenergy.com; steve.crawford@gexaenergy.com; Indych, Marsha J. <marsha.indych@faegredrinker.com>

Subject: Re: Frey, Jon, et al. vs. Frontier Utilities Northeast LLC and Energy Acquisitions Group LLC - JAMS Ref No. 1340019092

This Message originated outside your organization.

Anthony and Mike:

Good luck in your discussions today. You can do it. Keep plugging away. Let me know when you have finalized a deal.

I hope conditions in Houston have improved. Michele and Steve I am thinking about you and your families. When you settle I will send deep dish pizzas to all.

All the best,

Mort Denlow

mortdenlow@gmail.com

Cell: 847-204-5405

On Feb 18, 2021, at 7:37 PM, Anthony Paronich
<anthony@paronichlaw.com> wrote:

Either should work.

From: Daly, Michael P. <michael.daly@faegredrinker.com>

Sent: Thursday, February 18, 2021 8:27 PM

To: Anthony Paronich <anthony@paronichlaw.com>

Cc: murphy@mmmb.com; misny@mmmb.com; Morton Denlow
<mortdenlow@gmail.com>; Stewart Deborah
<dstewart@jamsadr.com>; Michele.Blythe@nexteraenergy.com;
steve.crawford@gexaenergy.com; Indych, Marsha J.
<marsha.indych@faegredrinker.com>

Subject: Re: Frey, Jon, et al. vs. Frontier Utilities Northeast LLC and
Energy Acquisitions Group LLC - JAMS Ref No. 1340019092

That works. I'll call you then. Office number or cell?

Sent from my iPhone

On Feb 18, 2021, at 8:01 PM, Anthony Paronich
<anthony@paronichlaw.com> wrote:

This Message originated outside your organization.

Thanks, how about 9:00 AM?

From: Daly, Michael P.
<michael.daly@faegredrinker.com>
Sent: Thursday, February 18, 2021 8:00 PM
To: Anthony Paronich <anthony@paronichlaw.com>;
murphy@mmmb.com; misny@mmmb.com
Cc: Morton Denlow <mortdenlow@gmail.com>;
Stewart Deborah <dstewart@jamsadr.com>;
michele.blythe@nexteraenergy.com;
steve.crawford@gexaenergy.com; Indych, Marsha J.
<marsha.indych@faegredrinker.com>
Subject: RE: Frey, Jon, et al. vs. Frontier Utilities
Northeast LLC and Energy Acquisitions Group LLC -
JAMS Ref No. 1340019092

Anthony:

Thanks for checking in. This has had my full attention since you circulated drafts late yesterday. We have been working hard to revise the agreement, orders, notices, and claim forms. We have made good progress but are not done yet. My clients are also still dealing with extraordinary weather-related complications as you know.

Would you have time tomorrow to discuss our revisions and next steps? I am free all morning except 10:30-11:00 Eastern. I am also free most of the afternoon if that's better. I don't think we need to trouble Judge

Denlow but if you think that would be helpful I am open to that of course.

Best,

Michael P. Daly

Faegre Drinker Biddle & Reath LLP

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From: Anthony Paronich <anthony@paronichlaw.com>

Sent: Thursday, February 18, 2021 6:39 PM

To: Morton Denlow <mortdenlow@gmail.com>;
murphy@mmmb.com; misny@mmmb.com; Daly,
Michael P. <michael.daly@faegredrinker.com>;
michele.blythe@nexteraenergy.com;
steve.crawford@gexaenergy.com

Cc: Stewart Deborah <dstewart@jamsadr.com>

Subject: RE: Frey, Jon, et al. vs. Frontier Utilities
Northeast LLC and Energy Acquisitions Group LLC -
JAMS Ref No. 1340019092

This Message originated outside your organization.

Michael:

With a signature date of tomorrow, we wanted to circle back on any edits to the attached.

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From: Anthony Paronich <anthony@paronichlaw.com>
Sent: Wednesday, February 17, 2021 3:45 PM
To: Morton Denlow <mortdenlow@gmail.com>;
murphy@mmmb.com; misny@mmmb.com;
michael.daly@dbi.com;
michele.blythe@nexteraenergy.com;
steve.crawford@gexaenergy.com
Cc: Stewart Deborah <dstewart@jamsadr.com>
Subject: RE: Frey, Jon, et al. vs. Frontier Utilities
Northeast LLC and Energy Acquisitions Group LLC -
JAMS Ref No. 1340019092

Hello, all. The Plaintiffs' draft of the Class Action Settlement Agreement and Exhibits is attached.

Please note that the Settlement Agreement envisions the automatic distribution to the Closed Sales List, but we have not changed the exhibits to reflect that because we wanted to ensure that we have an agreement on that first before making the change.

We're available to discuss and look forward to receiving Frontier's edits shortly so we can be in a position to sign by Friday.

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From: Anthony Paronich <anthony@paronichlaw.com>
Sent: Wednesday, February 17, 2021 9:16 AM
To: 'Morton Denlow' <mortdenlow@gmail.com>;
'murphy@mmmb.com' <murphy@mmmb.com>;
'misny@mmmb.com' <misny@mmmb.com>;
'michael.daly@dbi.com' <michael.daly@dbi.com>;
'michele.blythe@nexteraenergy.com'
<michele.blythe@nexteraenergy.com>;
'steve.crawford@gexaenergy.com'
<steve.crawford@gexaenergy.com>
Cc: 'Stewart Deborah' <dstewart@jamsadr.com>
Subject: RE: Frey, Jon, et al. vs. Frontier Utilities
Northeast LLC and Energy Acquisitions Group LLC -
JAMS Ref No. 1340019092

Thank you, Judge. We will do so.

I also wanted to extend my appreciation to Michele and Steve. After a long day of negotiations, things were certainly tense at the end, but you both would have been well within reason to call it a day earlier than you did based on what you were dealing with at home.

We started working on the settlement agreement and exhibits last night and we will be done today.

Anthony Paronich
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From: Morton Denlow <mortdenlow@gmail.com>
Sent: Wednesday, February 17, 2021 8:44 AM
To: murphy@mmmb.com; misny@mmmb.com;

anthony@paronichlaw.com; michael.daly@dbi.com;
michele.blythe@nexteraenergy.com;
steve.crawford@gexaenergy.com

Cc: Stewart Deborah <dstewart@jamsadr.com>

Subject: Frey, Jon, et al. vs. Frontier Utilities Northeast
LLC and Energy Acquisitions Group LLC - JAMS Ref No.
1340019092

Dear Counsel:

Yesterday was a long and productive day. Agreement was reached on a \$3,200,000 class action common fund settlement, subject to finalizing a mutually agreeable settlement agreement and obtaining court approval. Your careful preparation and negotiation of the class action checklist leading up to the mediation resulted in an agreement on certain material terms to be included in your settlement agreement. More discussion is needed to finalize several remaining issues.

Plaintiffs' counsel will forward a draft settlement agreement today with the expectation that defendants will promptly review and comment on it. The goal is to finalize a settlement agreement as soon as possible, subject to the serious problems faced by Michele and Steve caused by the storms in Houston.

Michele and Steve, I want to pay special thanks to you for working from your respective homes dealing with no heat, electricity and broken water pipes. You went above and beyond the call of duty. I hope these problems are quickly resolved and that you and your families are ok.

I urge the parties to work cooperatively to finalize a settlement agreement. Do not lose the momentum we generated yesterday. A settlement is your path to the 7Cs. Please copy me in on your communications and reach out to me if you need my help. I will plan to follow up next Monday if I do not hear from you before then.

All the best,

Mort Denlow
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